

TOWN OF NEWSTEAD
PLANNING BOARD MINUTES
AUGUST 2, 1999

PRESENT:	Dave Wakeman, Chairman	Drew Reilly, Town Engineer
	Mary Valentine	Bill Walworth, Deputy Bldg Insp
	Andy Kelkenberg	Rebecca Baker, Clerk
	John Potera	
	Doug Klotzbach	
	Terry Janicz	

Dave called the meeting to order at 7:35pm. John made a motion to accept the minutes from the July 19, 1999 meeting changing the name Karcher to Carter. Mary seconded the motion and all approved.

The board discussed the Sowinski minor subdivision. Drew pointed out that currently the code has no definition for road frontage. He believes a change is needed to include both lot frontage and width definitions and restrictions. First, the planning board and town board must decide if they want flag lots in the town. A recommendation to the town board will be forth coming in the future.

At 8:10 pm, the board held a public hearing to hear any comments regarding the Sowinski subdivision. See attached minutes.

The board met with Clayton and Marsha Albrecht to discuss their request for a one lot subdivision on Clarence Center Rd. The proposed lot will be 3.79 acres (350' x 500.47'). There is a 50' drainage easement, owned by Carborundum and I Squared R, along the front of the property running to the ditch. The easement is no longer used. The \$600.00 recreational fee was waived due to the land contract agreed upon three years ago. The board will hold a public hearing on August 16, 1999 at 8:00pm to hear comments for or against this minor subdivision.

Mary made a motion to table the Berghorn subdivision due to an incomplete application. Doug seconded the motion and all approved.

The board read an article in the Alden newspaper dated June 7, 1999 regarding the request from Mr. Schlossin to operate a mulching business in the Town of Newstead. The article explains the situation in Alden and the concerns the residents there have. Bill Walworth has seen the Alden operation and says it is a mess. Piles of stumps are everywhere. It is very noisy and dirty. The board reviewed the noise report and found that Mr. Schlossin's operation has a level between 80 and 90 (90 being a rock concert). Based on information from the NYS Dept of Ag and Markets, the proposed mulching operation is NOT a permitted use under current Newstead code. John motioned that the proposed mulching operation should not be granted permission to operate. Terry seconded the motion and all approved. Don Folger will inform Mr. Schlossin.

The board was informed that due to the phone call made by Mr. Folger, the peddler on Main Rd. has been asked to leave by Niagara Mohawk, because he was operating on their property.

The Bed & Breakfast memorandum was discussed and the planning board is proposing that Bed & Breakfasts be an allowed use in an RA and C2 Zone with the following restrictions and guidelines:

Under 100-5 Definitions and Word Usage

Bed and Breakfast – A dwelling in which overnight accommodations are provided or offered to transient guests for compensation.

- 1. Smoke detectors shall be installed in each guestroom and in adjacent hallways and corridors. All emergency exits shall be obvious and clearly identified.**
- 2. The architectural integrity and arrangement of interior spaces must be maintained and the number of guestrooms shall not be increased, except as required to meet health, safety and sanitation requirements.**
- 3. All off street parking shall be regulated in accordance with Articles XX and XXIII of the Town Code. Parking areas for four or more vehicles may require adequate screening from adjacent residential uses, if deemed necessary by the Town.**
- 4. Accommodations shall not four (4) guestrooms.**
- 5. The length of stay at a bed & breakfast establishment shall not exceed fourteen (14) days.**
- 6. No external modifications of the structure shall be allowed in conjunction with the creation of a bed & breakfast, and no visible evidence of the conduct of the establishment other than the posting of one (1) sign, in accordance with local zoning.**
- 7. The applicant shall be the owner and full time resident of the premises, and the bed & breakfast use shall be subordinate and incidental to the residential use of the structure.**
- 8. The serving of meals at the premises shall be limited to lodgers only; no cooking or cooking facilities shall be permitted in individual guestrooms.**

Applicants will be required to apply for a special permit, renewable annually, to include a fire inspection by a Town Official. A site plan for the planning board to review will be required with the initial application. Dave will send a letter to the Town Board outlining the Planning Board's recommendations.

The peddler's license and home occupation items will be tabled until the next meeting.

Andy made a motion to adjourn the meeting at 10:10pm. Terry seconded the motion and all approved.

Respectfully submitted,
Rebecca Baker, Clerk

